

ORIGINAL

Decision No. 34782

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
JAMES B. COCHRAN for certificate of )  
public convenience and necessity to ) Application No. 24056  
operate water passenger service as a )  
common carrier between San Diego and )  
Avalon, Santa Catalina Island. )

JAMES B. COCHRAN, applicant in propria  
persona.

CARL F. FENNEMA, for Wilmington Transportation  
Company, Interested Party.

C. A. HODGMAN, for the Harbor Administration  
of the City of San Diego and the San  
Diego Chamber of Commerce, Interested  
Parties as interests may appear.

RILEY, Commissioners

O P I N I O N

A public hearing was conducted in the above-entitled proceeding at San Diego October 31, 1941, at which time the matter was taken under submission and is now ready for decision.

In this proceeding, applicant seeks a certificate of public convenience and necessity to operate a common carrier vessel service for the transportation of passengers between the City of San Diego and Avalon, Santa Catalina Island. At San Diego the terminal is to be located at the Municipal Docks and at Avalon, the Municipal Pier. The water route distance between terminals is approximately 90 miles and it is estimated that it will require approximately six hours to negotiate this distance.

It is proposed to provide tri-weekly service during the summer months, <sup>(1)</sup> the fare to be \$6.00 one way and \$10.00 round trip, including hand luggage up to 50 pounds per person as well as buffet lunch enroute. It is proposed that the service will be performed with a 65-foot cabin cruiser. <sup>(2)</sup>

In view of the fact that the boat has a capacity in excess of 15 gross tons, applicant is required to comply with the safety rules and regulations prescribed by the Federal Bureau of Marine Inspection and Navigation.

Applicant stated that he had made a study of the proposed service and had determined that there would be a fair margin of profit over operating costs in the operation based upon the rate schedule set forth above. At this time there is no direct public boat service between San Diego and Avalon. Persons desiring to travel between these points by public conveyance must employ air, rail, bus or water service between San Diego and Los Angeles and boat or air service between Los Angeles and Avalon. Both the boat and air line between Los Angeles and Avalon leave from Wilmington, which is part of the city of Los Angeles.

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(1) Service to begin approximately May 15 and end approximately September 15 each year.

Leave San Diego about 8:30 A.M. Tuesday, Thursday, Saturday.  
Leave Avalon about 1:30 P.M. Wednesday, Friday, Sunday.

(2) Description of boat:

Equipped with radio telephone  
Capacity approximately 80 passengers  
Crew minimum 2 operators - maximum 4  
Powered with 2 - 140 H.P. Packard diesel motors  
Beam 18 feet  
Capacity 25 tons  
Cost approximately \$22,000  
Cork lined  
Provided with bulk heads.

No one opposed the granting of the application. On the other hand, a representative from the Harbor Administration of the City of San Diego stated that the matter had been discussed with the Administration and it appeared that favorable action would be taken on applicant's request for terminal facilities at that end of the route. A representative of the Wilmington Transportation Company, which operates between Wilmington and Avalon, stated that his company was favorable to the granting of this application.

Upon this record it is concluded that the proposal of applicant is in the public interest and the application should be granted. I recommend the following form of order.

O R D E R

Public hearing having been held in the above-entitled proceeding, evidence having been received, and the Commission having found as a fact that public convenience and necessity so require:

IT IS ORDERED that a certificate of public convenience and necessity be and it is hereby granted to James B. Cochran for the establishment and operation of a common carrier vessel service, as such is defined in Sections 2(1) and 2(y) of the Public Utilities Act, for the transportation of passengers and their baggage between the City of San Diego and Avalon, Santa Catalina Island seasonally between approximately May 15 and September 15 of each year.

The foregoing certificate is granted subject to the condition that James B. Cochran, his successors or assigns, may never claim before this Commission, or any court or other public body, a value for the authority hereby granted in excess of the actual cost thereof.

IT IS FURTHER ORDERED that, in the operation of said common carrier vessel service, James B. Cochran shall comply with and observe the following service regulations:

1. File a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the date hereof.
2. Applicant shall file, in triplicate, within sixty (60) days from the effective date of this order and on not less than one (1) day's notice to the Commission and the public, rates and fares and a time schedule for the service herein authorized.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 25<sup>th</sup> day of November, 1941.

[Signature]  
[Signature]  
James J. Quinn  
Frank R. Havens  
[Signature]  
COMMISSIONERS